

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FIKES *et al.*

Appl. No. 09/458,298

Filed: December 10, 1999

For: **Inducing Cellular Immune  
Responses to MAGE 2/3 Using  
Peptide and Nucleic Acid  
Compositions**

Confirmation No. 8697

Art Unit: 1644

Examiner: Haddad, M.M.

Atty. Docket: 2060.0130000/HCC/PAC

Reply To Restriction Requirement And Election Of Species

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated **October 3, 2003**, Applicants hereby provisionally elect Group II and the species KVAELVHFL (SEQ ID NO:367). Claims 1-4, 7, 8, 37, and 38 read on such species. These elections are made without prejudice to or disclaimer of the other claims or inventions disclosed.

Applicants reserve the right to claim additional species in the event that a generic claim thereto is found to be allowable in accordance with 37 C.F.R. § 1.141(a). These elections are made **without traverse**. Consideration and allowance of all pending claims are respectfully requested.

It is believed that extensions of time are not required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Helene C. Carlson  
Agent for Applicants  
Registration No. 47,473

Date: 12/3/03  
1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

::ODMA\MHODMA\SKGF\_DC1;205092;1

SKGF Rev. 1/24/02 mac; 4/18/03 svb